

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

LARRY ANDREW PIATEK
a/k/a Peter Joseph Bardeson,

Plaintiff,

v.

Case No. 05-C-1154

AMERICAN INCOME LIFE INSURANCE
COMPANY, ROGER SMITH,
DEBBIE GAMBLE, and JOSEPH MANONE,

Defendants.

OPINION AND ORDER

Having reviewed the Plaintiff's proposed Amended Complaint, the court ORDERS that his "Request to Submit Amended Complaint" (filed November 17, 2005) IS DENIED. He asserts that he and Defendant American Income Life Insurance Company are citizens of Wisconsin. Therefore, he defeats his argument that this court has diversity jurisdiction over his claims. See 28 U.S.C. § 1332. The mere mention of RICO in the proposed Amended Complaint does not result in a claim arising under federal law.

Done and Ordered in Chambers at the United States Courthouse,
Milwaukee, Wisconsin, this 28th day of November, 2005.

s/Thomas J. Curran

THOMAS J. CURRAN
United States District Judge